

EDWARD WHITEHEAD,)
)
Plaintiff,)
)
v.) No. 4:08CV1711 CEJ
)
SERVICE MASTER,)
)
Defendant.)

This matter is before the Court on plaintiff's motion for appointment of counsel.

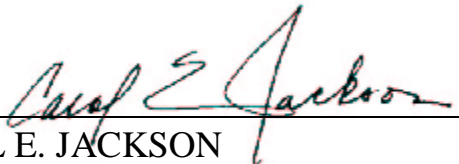
There is no constitutional or statutory right to appointed counsel in civil cases. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. See Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

Upon consideration of the factors enumerated above, the Court finds that appointment of counsel is not warranted at this time. The facts and legal issues in this case are simple: plaintiff claims that he was terminated because of his race. Plaintiff has presented few non-frivolous allegations in support of his claims. Plaintiff states that he has difficulty “seeing and understanding words.” However, plaintiff was able to complete the form complaint appropriately and was able to provide a coherent description of the facts on which his claim is based.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion for appointment of counsel [#16] is **denied** without prejudice.

Dated this 16th day of June, 2009.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE